

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

PAUL KINCHLOE,

Petitioner,

CASE NO. 07-CV-12460

-vs-

JERI ANN SHERRY,

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Respondent.

**ORDER DENYING: (1) PETITIONER'S MOTION TO TRANSFER AND (2) MOTION
FOR FEDERAL ESCORT**

Before the Court are Petitioner Paul Kinchloe's September 7, 2007 Motion for Federal Escort by United States Marshall October 3, 2007 Motion for Transfer to Federal Custody Pending Final Disposition.¹ (Dkt. Nos. 6, 7 & 8).

On June 7, 2007, Petitioner filed a *pro se* Petitioner for Writ of Habeas Corpus. (Dkt. No. 1). On June 13, 2007, the Court issued an Opinion and Order transferring the Petition to the United State Court of Appeals of the Sixth Circuit pursuant to 28 U.S.C. § 1631 and 28 U.S.C. § 2244(b)(3)(A) after determining that the instant petition was a successive habeas corpus petition.

The Court finds that because the instant Petition has been transferred to the Sixth Circuit this Court lacks the proper jurisdiction to address Petitioner's Motions to Transfer and for Federal Escort.

¹ The Court notes Petitioner filed a Second Motion for Transfer to Federal Custody Pending Final Disposition on the same day as his First Motion for the same. (Dkt. No. 8). The Second Motion requests the same relief but adds two additional paragraphs detailing Petitioner's argument as well as an affidavit from Petitioner. The Court shall liberally construe these two Motions together.

Therefore, the Court **DENIES** Petitioner's Motion to Transfer and Motion for Federal Escort.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: March 24, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on March 24, 2008.

s/Denise Goodine
Case Manager